
By: **St. Mary's County Delegation**
Introduced and read first time: February 12, 2004
Assigned to: Judiciary

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 16, 2004

CHAPTER _____

1 AN ACT concerning

2 **St. Mary's County - Sheriff - Home Detention and Work Release Programs**

3 FOR the purpose of authorizing the Sheriff of St. Mary's County to establish
4 programs for home detention and work release; requiring the Sheriff to adopt
5 certain regulations if a program is established; authorizing the court to allow
6 certain individuals to participate in a program; authorizing certain inmates
7 participating in a program to leave the St. Mary's County Detention Center
8 under certain circumstances; authorizing the Sheriff and the Board of County
9 Commissioners of St. Mary's County to determine and collect a reasonable
10 monetary amount or program participation fee to pay for costs incurred by the
11 county for providing certain items for the inmate to participate in the work
12 release program; requiring the Sheriff or the Sheriff's designee to notify the
13 court in writing if an inmate violates a certain trust or condition established for
14 participating in a program; establishing certain penalties for violating a certain
15 trust or condition established for participating in a program; and generally
16 relating to home detention and work release programs in St. Mary's County.

17 BY adding to
18 Article - Correctional Services
19 Section 11-720
20 Annotated Code of Maryland
21 (1999 Volume and 2003 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Correctional Services**

2 11-720.

3 (A) THIS SECTION APPLIES ONLY IN ST. MARY'S COUNTY.

4 (B) (1) THE SHERIFF MAY ESTABLISH:

5 (I) A HOME DETENTION PROGRAM; AND

6 (II) A WORK RELEASE PROGRAM.

7 (2) (I) IF THE SHERIFF ESTABLISHES A PROGRAM UNDER THIS
8 SECTION, THE SHERIFF SHALL ADOPT REGULATIONS NECESSARY TO IMPLEMENT
9 EACH PROGRAM ESTABLISHED.10 (II) IF A CONDITION THAT A COURT IMPOSES ON AN INMATE IS
11 INCONSISTENT WITH A REGULATION ADOPTED UNDER THIS SUBSECTION, THE
12 CONDITION IMPOSED BY THE COURT CONTROLS AS TO THAT INMATE.13 (C) (1) AT THE TIME OF SENTENCING OR AT ANY TIME DURING AN
14 INDIVIDUAL'S CONFINEMENT, THE COURT MAY ALLOW THE INDIVIDUAL TO
15 PARTICIPATE IN ANY PROGRAM ESTABLISHED UNDER THIS SECTION IF THE
16 INDIVIDUAL:17 ~~(I) IS SENTENCED TO THE CUSTODY OF THE SHERIFF; AND~~18 ~~(II) HAS NO OTHER CHARGES PENDING IN ANY JURISDICTION.~~19 (2) AN INMATE WHO IS PARTICIPATING IN ANY PROGRAM ESTABLISHED
20 UNDER THIS SECTION AND WHO IS SENTENCED TO THE ST. MARY'S COUNTY
21 DETENTION CENTER MAY LEAVE THE DETENTION CENTER TO:

22 (I) CONTINUE REGULAR EMPLOYMENT;

23 (II) SEEK NEW EMPLOYMENT; OR

24 (III) ATTEND ANY COURT-ORDERED TREATMENT APPOINTMENTS.

25 (D) THE SHERIFF AND THE BOARD OF COUNTY COMMISSIONERS OF ST.
26 MARY'S COUNTY MAY CHARGE AN INMATE PARTICIPATING IN THE WORK RELEASE
27 PROGRAM A REASONABLE MONETARY AMOUNT OR PROGRAM PARTICIPATION FEE TO
28 PAY FOR THE COSTS INCURRED BY THE COUNTY FOR PROVIDING THE INMATE WITH
29 FOOD, LODGING, AND CLOTHING.30 (E) (1) IF AN INMATE VIOLATES A TRUST OR A CONDITION THAT A COURT
31 OR SHERIFF HAS ESTABLISHED FOR PARTICIPATING IN ANY PROGRAM ESTABLISHED
32 UNDER THIS SECTION, THE SHERIFF OR THE SHERIFF'S DESIGNEE SHALL NOTIFY
33 THE COURT IN WRITING OF THE VIOLATION.

1 (2) AN INMATE WHO VIOLATES A TRUST OR A CONDITION THAT A COURT
2 OR SHERIFF HAS ESTABLISHED FOR PARTICIPATING IN ANY PROGRAM ESTABLISHED
3 UNDER THIS SECTION IS SUBJECT TO:

4 (I) REMOVAL FROM THE PROGRAM; AND

5 (II) CANCELLATION OF ANY EARNED DIMINUTION OF THE
6 INMATE'S TERM OF CONFINEMENT.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
8 effect October 1, 2004.